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Attorneys for Defendants
DELL, INC. et al.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VIVIAN FIORI, and ROGGIE TRUJILLO,) Case No. 5:09-CV-01518 JW

Plaintiffs,)

v.)

DELL INC., et al.,)

Defendants.)

STIPULATION AND [PROPOSED] ORDER
FINDING AS MOOT DEFENDANTS REQUEST FOR
EXTENSION OF TIME TO FILE REPLY BRIEFS IN
SUPPORT OF MOTIONS TO DISMISS

Pursuant to Civ. L. R. 6-2 the parties, by their undersigned counsel, hereby stipulate, subject to court approval, that Defendants may file and serve their Reply briefs in support of their Motions to Dismiss on September 8, 2009 and in support of this stipulation state as follows: The hearing on Defendants' Motions to Dismiss is currently set on September 21, 2009. Under the Court's Civil Local Rules Defendants' Reply brief in support of that motion would normally be due September 7, 2009, which is 14 days before the hearing. However, September 7 is the Labor Day holiday. The parties therefore agree, subject to the Court's approval, that Defendants' Reply may be filed on September 8, 2009. The Court order rescheduling the hearing on the Motion to Dismiss from September 14, 2009 to September 21, 2009 is the only previous modification of time in this case, and this modification will have no effect on the schedule in this matter, which has not yet been adopted.

Respectfully Submitted,

Dated: September 3, 2009

ALSTON + BIRD LLP

By: /s/ Sean P. DeBruine
Sean P. DeBruine

Attorneys for Defendants
DELL, INC. et al.

Dated: September 3, 2009

STRANGE & CARPENTER


By: /s/ Gretchen Carpenter
Gretchen Carpenter

Attorneys for Plaintiffs
VIVIAN FIORI, and ROGGIE TRUJILLO

PURSUANT TO STIPULATION IT IS SO ORDERED:

The Court finds the stipulation is MOOT. The reply briefs were filed as stipulated by the parties on September 8, 2009

Dated: September 21, 2009



Hon. James Ware
U.S. District Court Judge

FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X (B) regarding signatures, I, Sean P. DeBruine, attest that concurrence in the filing of this document has been obtained from Gretchen Carpenter.

/s/ Sean P. DeBruine

Sean P. DeBruine

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